

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

STEVEN MITCHELL; BRIAN SPURLOCK,

Plaintiffs,

v.

GANNETT CO., INC.; GATEHOUSE MEDIA
PENNSYLVANIA HOLDINGS, INC.;
GATEHOUSE MEDIA INDIANA
HOLDINGS, INC.; CA FLORIDA
HOLDINGS, LLC; BAY PHOTO, LLC d/b/a
FOTOMOTO; UPLAND SOFTWARE, INC.;
SOUTHERN COMMUNITY NEWSPAPERS,
INC.; TIMES-JOURNAL, INC.,

Defendants.

No. 24-CV-284 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:


It has been reported to the Court that Plaintiffs have reached a settlement in principle with Defendant Bay Photo, LLC d/b/a FotoMoto. Accordingly, it is hereby:

ORDERED that Plaintiffs' claims against FotoMoto are discontinued, without costs to any party and without prejudice to restoring their claims to this Court's docket if the application to restore these claims is made within thirty (30) days. Any application to reopen these claims must be filed within thirty (30) days of this order, and any application filed thereafter may be denied solely on that basis. If these parties seek to have the Court retain jurisdiction to enforce a settlement agreement, the terms of the agreement must be placed on the public record and "so ordered" by the Court within the same thirty-day period. *See Hendrickson v. United States*, 791 F.3d 354, 358 (2d Cir. 2015).

The Clerk of Court is respectfully directed to terminate Defendant FotoMoto as a party in this action.

SO ORDERED.

Dated: July 8, 2024
New York, New York



Ronnie Abrams
United States District Judge